



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-0984/3 4  
JTK/MES:wj&cs:jf

WANTED Tues 1/25 - 9AM

DOA:.....Walker, BB0259 - Land information program and recording fees

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

DO NOT GEN

1 AN ACT ...; relating to: land information.

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*Analysis by the Legislative Reference Bureau*

**STATE GOVERNMENT**

**OTHER STATE GOVERNMENT**

Currently, the land information board is attached to DOA. The board serves as a state clearinghouse for access to land information and provides technical assistance to state agencies and local governmental units with land information responsibilities, reviews and approves county plans for land records modernization, and provides aids to counties, derived from recording fee revenues collected by counties, for land records modernization projects. Under current law, the board and most of its functions are abolished effective on July 1, 2005.

This bill assigns to DOA most of the functions of the land information board.

Currently, counties collect a land record fee for recording and filing most instruments that are recorded or filed with the register of deeds. The fee is \$11 for the first page of an instrument and \$2 for each additional page. Until July 1, 2005, counties must remit \$2 of each \$11 collected for recording or filing the first page of each instrument to the land information board, which the board uses to fund its general program operations and to make grants to counties for land records modernization projects. Currently, if a county does not have a land information office and uses \$4 of the fee for recording or filing the first page of an instrument for land records modernization, the county must remit \$7 of the fee for recording or filing the first page of an instrument to the land information board. However, if a county

establishes a land information office or receives approval from the land information board for its land records modernization plan, the county may retain \$5 of each \$7 fee that would otherwise be payable to the state, if the county uses \$1 of each \$5 fee that it retains for the development and maintenance of a computerized index of the county's land information relating to housing that is accessible on the Internet. On July 1, 2005, the fee for recording or filing the first page of an instrument is reduced from \$11 to \$8 and no portion is remitted to the state. This bill reenacts the current fees, effective on the day the bill becomes law, but requires that the state share be remitted to DOA instead of the land information board. The bill also requires each county that is permitted to retain \$5 of each fee to use \$1 of each \$5 fee that it retains for the provision of land information, including the county's land information records relating to housing, on the Internet.

Under current law, the Wisconsin Land Council exists in DOA. The purposes of the council include the following: 1) to identify and recommend to the governor land use goals and priorities; 2) to establish a technical working group to study the development of a computer-based land information system and make recommendations to the governor in this area; 3) to establish a state agency resource working group that is composed of representatives of DOA, DATCP, DOC, DNR, DOR, DOT, and other appropriate agencies. This state agency resource working group is required to discuss, analyze, and address land use issues and related policy issues. Currently, the Wisconsin Land Council sunsets on September 1, 2005.

Under this bill, almost all of the functions and responsibilities of the Wisconsin Land Council are transferred to DOA. The functions and responsibilities that are not transferred to DOA include the responsibility of the Wisconsin Land Council to establish a technical working group to study the development of a computer-based land information system.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 16.966 of the statutes is repealed and recreated to read:

2           **16.966 Geographic information systems.** The department may develop  
3 and maintain geographic information systems relating to land in this state for the  
4 use of governmental and nongovernmental units.

5           **SECTION 2.** 16.967 of the statutes is repealed and recreated to read:

6           **16.967 Land information program.** (1) **DEFINITIONS.** In this section:

7           (a) "Agency" has the meaning given in s. 16.70 (1e).

1           (b) "Land information" means any physical, legal, economic, or environmental  
2 information or characteristics concerning land, water, groundwater, subsurface  
3 resources, or air in this state. "Land information" includes information relating to  
4 topography, soil, soil erosion, geology, minerals, vegetation, land cover, wildlife,  
5 associated natural resources, land ownership, land use, land use controls and  
6 restrictions, jurisdictional boundaries, tax assessment, land value, land survey  
7 records and references, geodetic control networks, aerial photographs, maps,  
8 planimetric data, remote sensing data, historic and prehistoric sites, and economic  
9 projections.

10          (c) "Land information system" means an orderly method of organizing and  
11 managing land information and land records.

12          (d) "Land records" means maps, documents, computer files, and any other  
13 information storage medium in which land information is recorded.

14          (e) "Systems integration" means land information that is housed in one  
15 jurisdiction or jurisdictional subunit and is available to other jurisdictions,  
16 jurisdictional subunits, public utilities, and other private sector interests.

17          (3) DUTIES OF DEPARTMENT. The department shall direct and supervise the land  
18 information program and serve as the state clearinghouse for access to land  
19 information. In addition, the department shall:

20           (a) Provide technical assistance and advice to state agencies and local  
21 governmental units with land information responsibilities.

22           (b) Maintain and distribute an inventory of land information available for this  
23 state, land records available for this state, and land information systems.

24           (c) Prepare guidelines to coordinate the modernization of land records and land  
25 information systems.

1 (d) Review project applications received under sub. (7) and determine which  
2 projects are approved.

3 (e) Review for approval a countywide plan for land records modernization  
4 prepared under s. 59.72 (3) (b).

5 (4) FUNDING REPORT. The department shall identify and study possible program  
6 revenue sources or other revenue sources for the purpose of funding the operations  
7 of the land information program, including grants to counties under sub. (7).

8 (5) FEE REVENUE. The department shall credit all fee revenue received under  
9 s. 59.72 (5) (a) to the appropriation account under s. 20.505 (1) (ij), except that the  
10 department shall credit the amounts appropriated under s. 20.505 (1) (ie) and (if) to  
11 those appropriation accounts.

12 (6) REPORTS. By March 31 of each year, the department of administration, the  
13 department of agriculture, trade and consumer protection, the department of  
14 commerce, the department of health and family services, the department of natural  
15 resources, the department of tourism, the department of revenue, the department of  
16 transportation, the board of regents of the University of Wisconsin System, the  
17 public service commission, and the board of curators of the historical society shall  
18 each submit to the department a plan to integrate land information to enable such  
19 information to be readily translatable, retrievable, and geographically referenced for  
20 use by any state, local governmental unit, or public utility. The plans shall include  
21 the information that will be needed by local governmental units to prepare  
22 comprehensive plans containing the planning elements required under s. 66.1001  
23 (2). Upon receipt of this information, the department shall integrate the information  
24 to enable the information to be used to meet land information data needs. The

1 integrated information shall be readily translatable, retrievable, and geographically  
2 referenced to enable members of the public to use the information.

3 (7) AID TO COUNTIES. (a) A county board that has established a county land  
4 information office under s. 59.72 (3) may apply to the department on behalf of any  
5 local governmental unit, as defined in s. 59.72 (1) (c), located wholly or partially  
6 within the county for a grant for any of the following projects:

7 1. The design, development, and implementation of a land information system  
8 that contains and integrates, at a minimum, property and ownership records with  
9 boundary information, including a parcel identifier referenced to the U.S. public land  
10 survey; tax and assessment information; soil surveys, if available; wetlands  
11 identified by the department of natural resources; a modern geodetic reference  
12 system; current zoning restrictions; and restrictive covenants.

13 2. The preparation of parcel property maps that refer boundaries to the public  
14 land survey system and are suitable for use by local governmental units for accurate  
15 land title boundary line or land survey line information.

16 3. The preparation of maps that include a statement documenting accuracy if  
17 the maps do not refer boundaries to the public land survey system and that are  
18 suitable for use by local governmental units for planning purposes.

19 4. Systems integration projects.

20 5. To support technological developments and improvements for the purpose  
21 of providing Internet-accessible housing assessment and sales data.

22 (b) Grants shall be paid from the appropriation under s. 20.505 (1) (ij). A grant  
23 under this subsection may not exceed \$100,000. The department may award more  
24 than one grant to a county board.

1       **(8) ADVICE; COOPERATION.** In carrying out its duties under this section, the  
2       department may seek advice and assistance from the board of regents of the  
3       University of Wisconsin System and other agencies, local governmental units, and  
4       other experts involved in collecting and managing land information. Agencies shall  
5       cooperate with the department in the coordination of land information collection.

6       **(9) TECHNICAL ASSISTANCE; EDUCATION.** The department may provide technical  
7       assistance to counties and conduct educational seminars, courses, or conferences  
8       relating to land information. The department shall charge and collect fees sufficient  
9       to recover the costs of activities authorized under this subsection.

10       **SECTION 3.** 16.9675 of the statutes is created to read:

11       **16.9675 Land activities.** The department shall do all of the following:

12       **(1)** Identify state land use goals and recommend these goals to the governor.

13       **(2)** Identify state land use priorities to further the state's land use goals and  
14       recommend to the governor legislation to implement these priorities.

15       **(3)** Study areas of cooperation and coordination in the state's land use statutes  
16       and recommend to the governor legislation to harmonize these statutes to further the  
17       state's land use goals.

18       **(4)** Study areas of the state's land use statutes that conflict with each other and  
19       recommend to the governor legislation to resolve these conflicts to further the state's  
20       land use goals.

21       **(5)** Identify areas of the state's land use statutes that conflict with county or  
22       municipal land use ordinances, and areas of county or municipal land use ordinances  
23       that conflict with each other, and recommend to the governor legislation to resolve  
24       these conflicts.

1           (6) Establish a state agency resource working group that is composed of  
2       representatives of the departments of administration; agriculture, trade and  
3       consumer protection; commerce; natural resources; revenue; transportation; and  
4       other appropriate agencies to discuss, analyze, and address land use issues and  
5       related policy issues, including the following:

6           (a) Gathering information about the land use plans of state agencies.

7           (b) Establishing procedures for the distribution of the information gathered  
8       under par. (a) to other state agencies, local units of government, and private persons.

9           (c) Creating a system to facilitate, and to provide training and technical  
10      assistance for the development of, local intergovernmental land use planning.

11          (7) Study the activities of local units of government in the land use area to  
12      determine how these activities impact on state land use goals, and recommend to the  
13      governor legislation that fosters coordination between local land use activities and  
14      state land use goals.

15          (8) Identify procedures for facilitating local land use planning efforts,  
16      including training and technical assistance for local units of government, and  
17      recommend to the governor legislation to implement such procedures.

18          (9) Gather and analyze information about the land use activities in this state  
19      of the federal government and American Indian governments and inform the  
20      governor of the impact of these activities on state land use goals.

21          (10) Study any other issues that are reasonably related to the state's land use  
22      goals, including methods for alternative dispute resolution for disputes involving  
23      land use issues, and recommend to the governor legislation in the areas studied by  
24      the department that would further the state's land use goals.

## SECTION 3

1 (11) Gather information about land use issues in any reasonable way, including  
2 the following:

3 (a) Establishing a state-local government-private sector working group to  
4 study and advise the department on land use issues.

5 (b) Holding public hearings or information meetings on land use issues.

6 (c) Conducting surveys on land use issues.

7 (d) Consulting with any person who is interested in land use issues.

8 **SECTION 4.** 20.505 (1) (ie) of the statutes is repealed and recreated to read:

9 20.505 (1) (ie) *Land information; incorporations and annexations.* From the  
10 moneys received by the department under s. 59.72 (5) (a), the amounts in the  
11 schedule for the land information program under s. 16.967 and for reviews of  
12 proposed municipal incorporations and annexations by the department.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

13 **SECTION 5.** 20.505 (1) (ig) of the statutes is repealed and recreated to read:

14 20.505 (1) (ig) *Land information; technical assistance and education.* <sup>All moneys</sup>  
15 ~~amounts in the schedule to provide~~ technical assistance to counties and <sup>conducting</sup> ~~to conduct~~  
16 educational seminars, courses, <sup>and for the purpose of providing</sup> ~~or~~ conferences under s. 16.967 (9). ~~The charges paid~~  
17 ~~by the~~ counties and participants in educational seminars, courses, and conferences  
18 under s. 16.967 (9) ~~shall be credited to this appropriation account.~~

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

19 **SECTION 6.** 20.505 (1) (ij) of the statutes is repealed and recreated to read:

20 20.505 (1) (ij) *Land information; aids to counties.* From the moneys received  
21 by the department under s. 59.72 (5) (a), all moneys not appropriated under pars. (ie)



1 and (if) for the purpose of providing aids to counties for land information projects  
2 under s. 16.967 (7).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3 SECTION 7. 23.27 (3) (a) of the statutes is repealed and recreated to read:

4 23.27 (3) (a) *Duties.* The department shall conduct a natural heritage  
5 inventory program. The department shall cooperate with the department of  
6 administration under s. 16.967 in conducting this program. This program shall  
7 establish a system for determining the existence and location of natural areas, the  
8 degree of endangerment of natural areas, an evaluation of the importance of natural  
9 areas, information related to the associated natural values of natural areas, and  
10 other information and data related to natural areas. This program shall establish  
11 a system for determining the existence and location of native plant and animal  
12 communities and endangered, threatened, and critical species, the degree of  
13 endangerment of these communities and species, the existence and location of  
14 habitat areas associated with these communities and species, and other information  
15 and data related to these communities and species. This program shall establish and  
16 coordinate standards for the collection, storage, and management of information and  
17 data related to the natural heritage inventory.

18 SECTION 8. 23.32 (2) (d) of the statutes is repealed and recreated to read:

19 23.32 (2) (d) The department shall cooperate with the department of  
20 administration under s. 16.967 in conducting wetland mapping activities or any  
21 related land information collection activities.

22 SECTION 9. 23.325 (1) (a) of the statutes is repealed and recreated to read:

1           23.325 (1) (a) Shall consult with the department of administration, the  
2           department of transportation, and the state cartographer, and may consult with  
3           other potential users of the photographic products resulting from the survey, to  
4           determine the scope and character of the survey.

5           **SECTION 10.** 36.09 (1) (e) of the statutes is repealed and recreated to read:

6           36.09 (1)(e) The board shall appoint a president of the system; a chancellor for  
7           each institution; a dean for each college campus; the state geologist; the director of  
8           the laboratory of hygiene; the director of the psychiatric institute; the state  
9           cartographer with the advice of the department of administration; and the requisite  
10          number of officers, other than the vice presidents, associate vice presidents, and  
11          assistant vice presidents of the system; faculty; academic staff; and other employees  
12          and fix the salaries, subject to the limitations under par. (j) and ss. 20.923 (4g) and  
13          230.12 (3) (e), the duties and the term of office for each. The board shall fix the  
14          salaries, subject to the limitations under par. (j) and ss. 20.923 (4g) and 230.12 (3)  
15          (e), and the duties for each chancellor, vice president, associate vice president, and  
16          assistant vice president of the system. No sectarian or partisan tests or any tests  
17          based upon race, religion, national origin, or sex shall ever be allowed or exercised  
18          in the appointment of the employees of the system.

19          **SECTION 11.** 36.25 (12m) (intro.) of the statutes is repealed and recreated to  
20          read:

21          36.25 (12m) STATE CARTOGRAPHER. (intro.) In coordination and consultation  
22          with the department of administration, the state cartographer shall:

23          **SECTION 12.** 59.43 (1) (u) of the statutes is repealed and recreated to read:

1           59.43 (1) (u) Submit that portion of recording fees collected under sub. (2) (ag)  
2           1. and (e) and not retained by the county to the department of administration under  
3           s. 59.72 (5).

4           **SECTION 13.** 59.43 (1) (um) of the statutes is repealed.

5           **SECTION 14.** 59.43 (2) (ag) 1. of the statutes is repealed and recreated to read:

6           59.43 (2) (ag) 1. Subject to s. 59.72 (5), for recording any instrument entitled  
7           to be recorded in the office of the register of deeds, \$11 for the first page and \$2 for  
8           each additional page, except that no fee may be collected for recording a change of  
9           address that is exempt from a filing fee under s. 185.83 (1) (b).

10          **SECTION 15.** 59.43 (2) (e) of the statutes is repealed and recreated to read:

11          59.43 (2) (e) Subject to s. 59.72 (5), for filing any instrument which is entitled  
12          to be filed in the office of register of deeds and for which no other specific fee is  
13          specified, \$11 for the first page and \$2 for each additional page.

14          **SECTION 16.** 59.72 (3) of the statutes is repealed and recreated to read:

15          59.72 (3) LAND INFORMATION OFFICE. The board may establish a county land  
16          information office or may direct that the functions and duties of the office be  
17          performed by an existing department, board, commission, agency, institution,  
18          authority, or office. If the board establishes a county land information office, the  
19          office shall:

20               (a) Coordinate land information projects within the county, between the county  
21               and local governmental units, between the state and local governmental units and  
22               among local governmental units, the federal government and the private sector.

23               (b) Within 2 years after the land information office is established, develop and  
24               receive approval for a countywide plan for land records modernization. The plan

1 shall be submitted for approval to the department of administration under s. 16.967  
2 (3) (e).

3 (c) Review and recommend projects from local governmental units for grants  
4 from the department of administration under s. 16.967 (7).

5 **SECTION 17.** 59.72 (4) of the statutes is repealed and recreated to read:

6 59.72 (4) AID TO COUNTIES. A board that has established a land information  
7 office under sub. (3) may apply to the department of administration for a grant for  
8 a land information project under s. 16.967 (7).

9 **SECTION 18.** 59.72 (5) of the statutes is repealed and recreated to read:

10 59.72 (5) LAND RECORD MODERNIZATION FUNDING. (a) Before the 16th day of each  
11 month a register of deeds shall submit to the department of administration \$7 from  
12 the fee for recording or filing the first page of each instrument that is recorded or filed  
13 under s. 59.43 (2) (ag) 1. or (e), less any amount retained by the county under par.  
14 (b).

15 (b) A county may retain \$5 of the \$7 submitted under par. (a) from the fee for  
16 recording or filing the first page of each instrument that is recorded or filed under  
17 s. 59.43 (2) (ag) 1. or (e) if all of the following conditions are met:

18 1. The county has established a land information office under sub. (3).

19 2. A land information office has been established for less than 2 years or has  
20 received approval for a countywide plan for land records modernization under sub.  
21 (3) (b).

22 3. The county uses \$4 of each \$5 fee retained under this paragraph to develop,  
23 implement, and maintain the countywide plan for land records modernization and  
24 \$1 of each \$5 fee retained under this paragraph for the provision of land information  
25 on the Internet, including the county's land information records relating to housing.

1           **SECTION 19.** 92.10 (4) (a) of the statutes is repealed and recreated to read:

2           92.10 (4) (a) *Data.* The department shall develop a systematic method of  
3           collecting and organizing data related to soil erosion. The department shall  
4           cooperate with the department of administration under s. 16.967 in developing this  
5           methodology or any related activities related to land information collection.

6           **SECTION 20.** 146.70 (3m) (d) 1g. of the statutes is repealed and recreated to  
7           read:

8           146.70 (3m) (d) 1g. If an application under par. (c) includes an estimate of costs  
9           identified in par. (c) 1. d. incurred during the reimbursement period or between  
10          January 1, 1999, and September 3, 2003, the commission may approve the  
11          application only if the commission determines that the local government's collection  
12          of land information, as defined in s. 16.967 (1) (b), and development of a land  
13          information system, as defined in s. 16.967 (1) (c), that is related to that purpose are  
14          consistent with the applicable county land records modernization plans developed  
15          under s. 59.72 (3) (b), conform to the standards on which such plans are based, and  
16          do not duplicate land information collection and other efforts funded through the  
17          land information program under s. 16.967 (7). The commission shall obtain the  
18          advice of the department of administration in making determinations under this  
19          subdivision.

20          **SECTION 21.** 1997 Wisconsin Act 27, section 9456 (3m) (a), as last affected by  
21          2003 Wisconsin Act 48, is repealed.

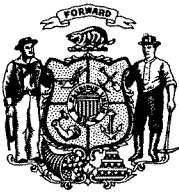
22          **SECTION 22.** 1999 Wisconsin Act 9, section 9401 (2zt), as last affected by 2003  
23          Wisconsin Act 33, is repealed.

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**1. SECTION 9455. Effective dates; other**

(1) EXPIRATION OF WISCONSIN LAND COUNCIL. The treatment of section 16.966 of the statutes takes effect on September 1, 2005.

4 (END)



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-0984/4  
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2           **16.966 Geographic information systems.** The department may develop  
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6 restrictions, jurisdictional boundaries, tax assessment, land value, land survey  
7 records and references, geodetic control networks, aerial photographs, maps,  
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9 projections.

10 (c) “Land information system” means an orderly method of organizing and  
11 managing land information and land records.

12 (d) “Land records” means maps, documents, computer files, and any other  
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14 (e) “Systems integration” means land information that is housed in one  
15 jurisdiction or jurisdictional subunit and is available to other jurisdictions,  
16 jurisdictional subunits, public utilities, and other private sector interests.

17 **(3) DUTIES OF DEPARTMENT.** The department shall direct and supervise the land  
18 information program and serve as the state clearinghouse for access to land  
19 information. In addition, the department shall:

20 (a) Provide technical assistance and advice to state agencies and local  
21 governmental units with land information responsibilities.

22 (b) Maintain and distribute an inventory of land information available for this  
23 state, land records available for this state, and land information systems.

24 (c) Prepare guidelines to coordinate the modernization of land records and land  
25 information systems.

1 (d) Review project applications received under sub. (7) and determine which  
2 projects are approved.

3 (e) Review for approval a countywide plan for land records modernization  
4 prepared under s. 59.72 (3) (b).

5 (4) FUNDING REPORT. The department shall identify and study possible program  
6 revenue sources or other revenue sources for the purpose of funding the operations  
7 of the land information program, including grants to counties under sub. (7).

8 (5) FEE REVENUE. The department shall credit all fee revenue received under  
9 s. 59.72 (5) (a) to the appropriation account under s. 20.505 (1) (ij), except that the  
10 department shall credit the amounts appropriated under s. 20.505 (1) (ie) and (if) to  
11 those appropriation accounts.

12 (6) REPORTS. By March 31 of each year, the department of administration, the  
13 department of agriculture, trade and consumer protection, the department of  
14 commerce, the department of health and family services, the department of natural  
15 resources, the department of tourism, the department of revenue, the department of  
16 transportation, the board of regents of the University of Wisconsin System, the  
17 public service commission, and the board of curators of the historical society shall  
18 each submit to the department a plan to integrate land information to enable such  
19 information to be readily translatable, retrievable, and geographically referenced for  
20 use by any state, local governmental unit, or public utility. The plans shall include  
21 the information that will be needed by local governmental units to prepare  
22 comprehensive plans containing the planning elements required under s. 66.1001  
23 (2). Upon receipt of this information, the department shall integrate the information  
24 to enable the information to be used to meet land information data needs. The

1 integrated information shall be readily translatable, retrievable, and geographically  
2 referenced to enable members of the public to use the information.

3 (7) AID TO COUNTIES. (a) A county board that has established a county land  
4 information office under s. 59.72 (3) may apply to the department on behalf of any  
5 local governmental unit, as defined in s. 59.72 (1) (c), located wholly or partially  
6 within the county for a grant for any of the following projects:

7 1. The design, development, and implementation of a land information system  
8 that contains and integrates, at a minimum, property and ownership records with  
9 boundary information, including a parcel identifier referenced to the U.S. public land  
10 survey; tax and assessment information; soil surveys, if available; wetlands  
11 identified by the department of natural resources; a modern geodetic reference  
12 system; current zoning restrictions; and restrictive covenants.

13 2. The preparation of parcel property maps that refer boundaries to the public  
14 land survey system and are suitable for use by local governmental units for accurate  
15 land title boundary line or land survey line information.

16 3. The preparation of maps that include a statement documenting accuracy if  
17 the maps do not refer boundaries to the public land survey system and that are  
18 suitable for use by local governmental units for planning purposes.

19 4. Systems integration projects.

20 5. To support technological developments and improvements for the purpose  
21 of providing Internet-accessible housing assessment and sales data.

22 (b) Grants shall be paid from the appropriation under s. 20.505 (1) (ij). A grant  
23 under this subsection may not exceed \$100,000. The department may award more  
24 than one grant to a county board.

1           (8) **ADVICE; COOPERATION.** In carrying out its duties under this section, the  
2 department may seek advice and assistance from the board of regents of the  
3 University of Wisconsin System and other agencies, local governmental units, and  
4 other experts involved in collecting and managing land information. Agencies shall  
5 cooperate with the department in the coordination of land information collection.

6           (9) **TECHNICAL ASSISTANCE; EDUCATION.** The department may provide technical  
7 assistance to counties and conduct educational seminars, courses, or conferences  
8 relating to land information. The department shall charge and collect fees sufficient  
9 to recover the costs of activities authorized under this subsection.

10           **SECTION 3.** 16.9675 of the statutes is created to read:

11           **16.9675 Land activities.** The department shall do all of the following:

12           (1) Identify state land use goals and recommend these goals to the governor.

13           (2) Identify state land use priorities to further the state's land use goals and  
14 recommend to the governor legislation to implement these priorities.

15           (3) Study areas of cooperation and coordination in the state's land use statutes  
16 and recommend to the governor legislation to harmonize these statutes to further the  
17 state's land use goals.

18           (4) Study areas of the state's land use statutes that conflict with each other and  
19 recommend to the governor legislation to resolve these conflicts to further the state's  
20 land use goals.

21           (5) Identify areas of the state's land use statutes that conflict with county or  
22 municipal land use ordinances, and areas of county or municipal land use ordinances  
23 that conflict with each other, and recommend to the governor legislation to resolve  
24 these conflicts.

1           **(6)** Establish a state agency resource working group that is composed of  
2       representatives of the departments of administration; agriculture, trade and  
3       consumer protection; commerce; natural resources; revenue; transportation; and  
4       other appropriate agencies to discuss, analyze, and address land use issues and  
5       related policy issues, including the following:

6           (a) Gathering information about the land use plans of state agencies.

7           (b) Establishing procedures for the distribution of the information gathered  
8       under par. (a) to other state agencies, local units of government, and private persons.

9           (c) Creating a system to facilitate, and to provide training and technical  
10      assistance for the development of, local intergovernmental land use planning.

11          **(7)** Study the activities of local units of government in the land use area to  
12      determine how these activities impact on state land use goals, and recommend to the  
13      governor legislation that fosters coordination between local land use activities and  
14      state land use goals.

15          **(8)** Identify procedures for facilitating local land use planning efforts,  
16      including training and technical assistance for local units of government, and  
17      recommend to the governor legislation to implement such procedures.

18          **(9)** Gather and analyze information about the land use activities in this state  
19      of the federal government and American Indian governments and inform the  
20      governor of the impact of these activities on state land use goals.

21          **(10)** Study any other issues that are reasonably related to the state's land use  
22      goals, including methods for alternative dispute resolution for disputes involving  
23      land use issues, and recommend to the governor legislation in the areas studied by  
24      the department that would further the state's land use goals.

1           (11) Gather information about land use issues in any reasonable way, including  
2           the following:

3           (a) Establishing a state–local government–private sector working group to  
4           study and advise the department on land use issues.

5           (b) Holding public hearings or information meetings on land use issues.

6           (c) Conducting surveys on land use issues.

7           (d) Consulting with any person who is interested in land use issues.

8           **SECTION 4.** 20.505 (1) (ie) of the statutes is repealed and recreated to read:

9           20.505 (1) (ie) *Land information; incorporations and annexations.* From the  
10          moneys received by the department under s. 59.72 (5) (a), the amounts in the  
11          schedule for the land information program under s. 16.967 and for reviews of  
12          proposed municipal incorporations and annexations by the department.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
      reflected in the revised schedule in s. 20.005, stats.

13          **SECTION 5.** 20.505 (1) (ig) of the statutes is repealed and recreated to read:

14          20.505 (1) (ig) *Land information; technical assistance and education.* All  
15          moneys received from counties and participants in educational seminars, courses,  
16          and conferences under s. 16.967 (9), for the purpose of providing technical assistance  
17          to counties and conducting educational seminars, courses, and conferences under s.  
18          16.967 (9).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
      reflected in the revised schedule in s. 20.005, stats.

19          **SECTION 6.** 20.505 (1) (ij) of the statutes is repealed and recreated to read:

20          20.505 (1) (ij) *Land information; aids to counties.* From the moneys received  
21          by the department under s. 59.72 (5) (a), all moneys not appropriated under pars. (ie)

1 and (if) for the purpose of providing aids to counties for land information projects  
2 under s. 16.967 (7).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3 **SECTION 7.** 23.27 (3) (a) of the statutes is repealed and recreated to read:

4 23.27 (3) (a) *Duties.* The department shall conduct a natural heritage  
5 inventory program. The department shall cooperate with the department of  
6 administration under s. 16.967 in conducting this program. This program shall  
7 establish a system for determining the existence and location of natural areas, the  
8 degree of endangerment of natural areas, an evaluation of the importance of natural  
9 areas, information related to the associated natural values of natural areas, and  
10 other information and data related to natural areas. This program shall establish  
11 a system for determining the existence and location of native plant and animal  
12 communities and endangered, threatened, and critical species, the degree of  
13 endangerment of these communities and species, the existence and location of  
14 habitat areas associated with these communities and species, and other information  
15 and data related to these communities and species. This program shall establish and  
16 coordinate standards for the collection, storage, and management of information and  
17 data related to the natural heritage inventory.

18 **SECTION 8.** 23.32 (2) (d) of the statutes is repealed and recreated to read:

19 23.32 (2) (d) The department shall cooperate with the department of  
20 administration under s. 16.967 in conducting wetland mapping activities or any  
21 related land information collection activities.

22 **SECTION 9.** 23.325 (1) (a) of the statutes is repealed and recreated to read:

1           23.325 (1) (a) Shall consult with the department of administration, the  
2           department of transportation, and the state cartographer, and may consult with  
3           other potential users of the photographic products resulting from the survey, to  
4           determine the scope and character of the survey.

5           **SECTION 10.** 36.09 (1) (e) of the statutes is repealed and recreated to read:

6           36.09 (1) (e) The board shall appoint a president of the system; a chancellor for  
7           each institution; a dean for each college campus; the state geologist; the director of  
8           the laboratory of hygiene; the director of the psychiatric institute; the state  
9           cartographer with the advice of the department of administration; and the requisite  
10          number of officers, other than the vice presidents, associate vice presidents, and  
11          assistant vice presidents of the system; faculty; academic staff; and other employees  
12          and fix the salaries, subject to the limitations under par. (j) and ss. 20.923 (4g) and  
13          230.12 (3) (e), the duties and the term of office for each. The board shall fix the  
14          salaries, subject to the limitations under par. (j) and ss. 20.923 (4g) and 230.12 (3)  
15          (e), and the duties for each chancellor, vice president, associate vice president, and  
16          assistant vice president of the system. No sectarian or partisan tests or any tests  
17          based upon race, religion, national origin, or sex shall ever be allowed or exercised  
18          in the appointment of the employees of the system.

19          **SECTION 11.** 36.25 (12m) (intro.) of the statutes is repealed and recreated to  
20          read:

21          36.25 (12m) STATE CARTOGRAPHER. (intro.) In coordination and consultation  
22          with the department of administration, the state cartographer shall:

23          **SECTION 12.** 59.43 (1) (u) of the statutes is repealed and recreated to read:



1           59.43 (1) (u) Submit that portion of recording fees collected under sub. (2) (ag)  
2           1. and (e) and not retained by the county to the department of administration under  
3           s. 59.72 (5).

4           **SECTION 13.** 59.43 (1) (um) of the statutes is repealed.

5           **SECTION 14.** 59.43 (2) (ag) 1. of the statutes is repealed and recreated to read:

6           59.43 (2) (ag) 1. Subject to s. 59.72 (5), for recording any instrument entitled  
7           to be recorded in the office of the register of deeds, \$11 for the first page and \$2 for  
8           each additional page, except that no fee may be collected for recording a change of  
9           address that is exempt from a filing fee under s. 185.83 (1) (b).

10          **SECTION 15.** 59.43 (2) (e) of the statutes is repealed and recreated to read:

11          59.43 (2) (e) Subject to s. 59.72 (5), for filing any instrument which is entitled  
12          to be filed in the office of register of deeds and for which no other specific fee is  
13          specified, \$11 for the first page and \$2 for each additional page.

14          **SECTION 16.** 59.72 (3) of the statutes is repealed and recreated to read:

15          59.72 (3) LAND INFORMATION OFFICE. The board may establish a county land  
16          information office or may direct that the functions and duties of the office be  
17          performed by an existing department, board, commission, agency, institution,  
18          authority, or office. If the board establishes a county land information office, the  
19          office shall:

20               (a) Coordinate land information projects within the county, between the county  
21               and local governmental units, between the state and local governmental units and  
22               among local governmental units, the federal government and the private sector.

23               (b) Within 2 years after the land information office is established, develop and  
24               receive approval for a countywide plan for land records modernization. The plan

1 shall be submitted for approval to the department of administration under s. 16.967  
2 (3) (e).

3 (c) Review and recommend projects from local governmental units for grants  
4 from the department of administration under s. 16.967 (7).

5 **SECTION 17.** 59.72 (4) of the statutes is repealed and recreated to read:

6 59.72 (4) AID TO COUNTIES. A board that has established a land information  
7 office under sub. (3) may apply to the department of administration for a grant for  
8 a land information project under s. 16.967 (7).

9 **SECTION 18.** 59.72 (5) of the statutes is repealed and recreated to read:

10 59.72 (5) LAND RECORD MODERNIZATION FUNDING. (a) Before the 16th day of each  
11 month a register of deeds shall submit to the department of administration \$7 from  
12 the fee for recording or filing the first page of each instrument that is recorded or filed  
13 under s. 59.43 (2) (ag) 1. or (e), less any amount retained by the county under par.  
14 (b).

15 (b) A county may retain \$5 of the \$7 submitted under par. (a) from the fee for  
16 recording or filing the first page of each instrument that is recorded or filed under  
17 s. 59.43 (2) (ag) 1. or (e) if all of the following conditions are met:

18 1. The county has established a land information office under sub. (3).

19 2. A land information office has been established for less than 2 years or has  
20 received approval for a countywide plan for land records modernization under sub.  
21 (3) (b).

22 3. The county uses \$4 of each \$5 fee retained under this paragraph to develop,  
23 implement, and maintain the countywide plan for land records modernization and  
24 \$1 of each \$5 fee retained under this paragraph for the provision of land information  
25 on the Internet, including the county's land information records relating to housing.

1           **SECTION 19.** 92.10 (4) (a) of the statutes is repealed and recreated to read:

2           92.10 (4) (a) *Data.* The department shall develop a systematic method of  
3           collecting and organizing data related to soil erosion. The department shall  
4           cooperate with the department of administration under s. 16.967 in developing this  
5           methodology or any related activities related to land information collection.

6           **SECTION 20.** 146.70 (3m) (d) 1g. of the statutes is repealed and recreated to  
7           read:

8           146.70 (3m) (d) 1g. If an application under par. (c) includes an estimate of costs  
9           identified in par. (c) 1. d. incurred during the reimbursement period or between  
10          January 1, 1999, and September 3, 2003, the commission may approve the  
11          application only if the commission determines that the local government's collection  
12          of land information, as defined in s. 16.967 (1) (b), and development of a land  
13          information system, as defined in s. 16.967 (1) (c), that is related to that purpose are  
14          consistent with the applicable county land records modernization plans developed  
15          under s. 59.72 (3) (b), conform to the standards on which such plans are based, and  
16          do not duplicate land information collection and other efforts funded through the  
17          land information program under s. 16.967 (7). The commission shall obtain the  
18          advice of the department of administration in making determinations under this  
19          subdivision.

20          **SECTION 21.** 1997 Wisconsin Act 27, section 9456 (3m) (a), as last affected by  
21          2003 Wisconsin Act 48, is repealed.

22          **SECTION 22.** 1999 Wisconsin Act 9, section 9401 (2zt), as last affected by 2003  
23          Wisconsin Act 33, is repealed.

24          **SECTION 23.** 1999 Wisconsin Act 9, section 9401 (2zu), as last affected by 2003  
25          Wisconsin Act 33, is repealed.

1           **SECTION 9455. Effective dates; other**

2 (1) EXPIRATION OF WISCONSIN LAND COUNCIL. The treatment of section 16.966 of  
3 the statutes takes effect on September 1, 2005.

4 (END)